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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,930	04/12/2004	Dario Neri	ELLIS-0002-P02-C01	3681

23599 7590 05/03/2007
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.
2200 CLARENDON BLVD.
SUITE 1400
ARLINGTON, VA 22201

EXAMINER

PORTNER, VIRGINIA ALLEN

ART UNIT	PAPER NUMBER
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1645

MAIL DATE	DELIVERY MODE
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05/03/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10821930	4/12/04	NERI ET AL.	ELLIS-0002-P02-C01

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ARLINGTON, VA 22201

EXAMINER

Ginny Portner

ART UNIT	PAPER
1645	20070426

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See attached bonafied attempt sequence letter.

Art Unit: 1645

1. While Applicant's election of Group IV was responsive to the election portion of the last action, the sequence letter compliance requirements were only partially met by insertion of SEQ ID Nos into Table 1 and narrative in the Brief Description of the Drawings for Figure 6.

Sequence Letter

Response to Amendment

2. The reply filed on February 23, 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The sequences identifiers were not inserted into the Specification at pages 3, 19, 23, 24, 34; claims 7 and 10; and Figure 1, and the sequences submitted for amendment of page 19, were not accompanied by SEQ ID Nos.. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

1. This application contains Sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821 (a) (1) and (a) (2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

2. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.136. In no case may and applicant extend the period of response beyond the six month statutory period and the response period is the time set in this action. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Sequences which need assignment of a SEQ ID NO were found at:

Art Unit: 1645

Sequences which need assignment of a SEQ ID NO were found at:

- page 3, lines 16-18;
- page 19, lines 23, 26-28, 30-31;
- page 23, lines 2-4, 6-8, 11-13 and 31;
- page 24, lines 1, 3-4 and 7;
- page 34, Table 1, page 34,
- Claims 7 and 10 and; Figures 1B.

Drawings : The Brief Description of the Drawing should be amended to recite SEQ ID Nos that identify the amino acid sequences and nucleic acid sequences shown in Figures 1B.

With respect to the General Observations:

the new Oath and Declaration now appears to be correct, but priority back to Applications 09/075,338 and 09/300,425 was not claimed within the required 4 months of the filing date for the instant Application and were not copending with the instant Application. This issue will be addressed in the first action on the merits.

The amendment of the Specification at page 15, lines 1 to 11 should be amended to delete the hyperlink that the amendment inserted; hyperlinks are not permissible in US Specifications.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ginny Portner whose telephone number is (571) 272-0862. The examiner can normally be reached on flextime, but usually M-F, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Siew can be reached on (571) 272-0787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1645

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vgp
April 25, 2007



MARK NAVARRO
PRIMARY EXAMINER

Notice to Comply	Application No. <i>10/1821,930</i>	Applicant(s) <i>Neri et al</i>	
	Examiner Portner	Art Unit 1645	

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set in the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Additional Sequences have been found; find narrative in attached document. *See attached letter 10/18/97*

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.**
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-2510

For CRF Submission Help, call (571) 272-2501/2583.

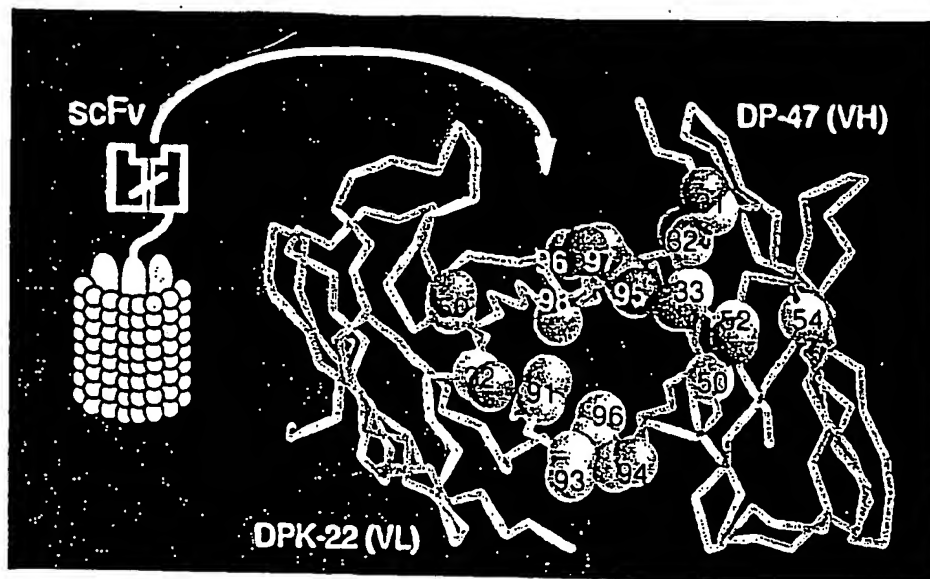
PatentIn Software Program Support

Technical Assistance.....703-287-0200

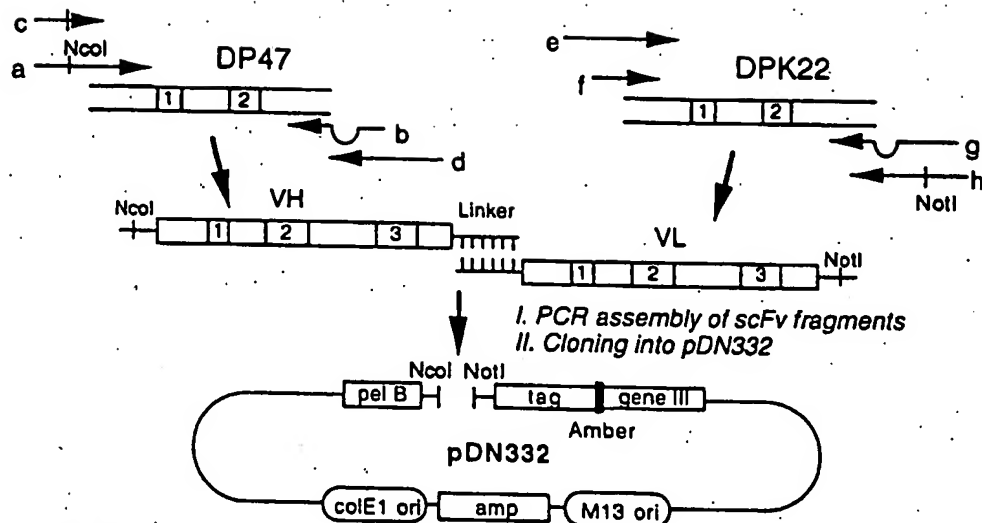
To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

A)



B)



VH primers:

a DP47baNco GCG GCC CAG CAT GCC ATG GCC GAG GTG CAG CTG TTG GAG TCT GGG
b CDR3for GGT TCC CTG GCC CCA GTA GTC AAA MNN MNN MNN MNN TTT CGC ACA GTA
ATA TAC G
c VHpulth GCG GCC CAG CAT GCC ATG GCC GAG
d Jassm CCC GCT ACC GCC ACT GGA CCC ATC GCC ACT CGA GAC GGT GAC CAG GGT
TCC CTG GCC CCA GTA GTC

VL primers:

e DPK22assm GAT GGG TCC AGT GGC GGT AGC GGG GGC GCG TCG ACT GGC GAA ATT GTG
TTG ACG CAG TCT CC
f DPK3for CAC CTT GGT CCC TTG GCC GAA CGT MNN CGG MNN MNN ACC MNN CTG CTG
ACA GTA ATA CAC TGC
g Jfornt GAG TCA TTC TCG ACT TGC GGC CGC TTT GAT TTC CAC CTT GGT CCC TTG GCC
GAA CG
h pulth GAT GGG TCC AGT GGC GGT AGC GGG

Figure 1

needs
SEQ
ID
Nos